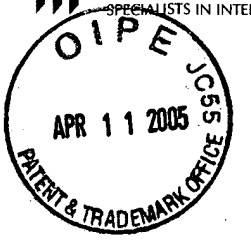
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Wolf Greenfield
SPECIALISTS IN INTELLECTUAL PROPERTY LAW



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April 8, 2005

Examiner Nita Minnifield
USPTO, Art Unit 1645
400 Dulany Street
Remsen Building
Floor 3, Room 1 Corridor C
Alexandria VA 22313

Re: U.S. Non-Provisional Patent Application entitled:
IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES
Inventor(s): Krieg et al.
Serial No.: 09/337,584 Filing Date: June 21, 1999

Dear Examiner Minnifield:

In the Office Action dated January 13, 2005 the Examiner indicated that some of the references cited on the August 27, 2004 IDS have not been considered. The examiner requests that Applicants submit copies of the references cited in that IDS which were not initialed by the Examiner. In order to clarify the status of these references Applicants representative called the Examiner on March 21, 2005 and discussed the forms. According to the Examiner the references without her signature were not scanned into the system and thus not accessed by her. The examiner suggested contacting the Help Desk or OIPA to discuss the best way for resolving the issue. The OIPA never answered several calls. On April 7, 2005 the undersigned was informed by Ray of the Help Desk that Applicant should submit the duplicate copies of the reference directly to the Examiner in order to avoid the afore-mentioned problem.

Out of an abundance of caution, Applicants are following the advice of the Help Desk and are submitting a copy of the 1449 and references directly to the Examiner. An original copy of the 1449 Form and Statement are being submitted on the same date through the regular USPTO mail with a certificate of mailing. It is respectfully requested that the Examiner consider the remaining information presented in the information disclosure statement prior to taking any further action on the merits and to return a copy of the initialed 1449 form to Applicants.

Very truly yours,

WOLF, GREENFIELD & SACKS, P.C.

Helen C. Lockhart

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PATENT & TRADEMARK OFFICE

FORM PTO-1449 (A and B (Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
APPLICANT: Krieg et al.	
GROUP ART UNIT: 1645	EXAMINER: Nita M. Minnifield

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	APPLICANT: Krieg et al.	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
	APPLICANT: Krieg et al.	
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FORM PTO-1449/A and B (Modified)	APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
	APPLICANT: Krieg et al.	
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FORM PTO-1449/A and B (Modified)	APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE: June 21, 1999	CONFIRMATION NO.: 9169
	APPLICANT: Krieg et al.	
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	C121	Patent Interference No. 105,171. Miscellaneous Motion 2 (Unopposed Request for Addition to Iowa's File History). April 15, 2004.		
	C122	Patent Interference No. 105,171. Iowa Preliminary Motion 3 (for Judgment Based on Failure to Comply with 35 U.S.C. 135(b)) (Electronically filed, unsigned). June 7, 2004.		
	C123	Patent Interference No. 105,171. Iowa Preliminary Motion 4 (For Judgment of No Interference in Fact) (Electronically filed, unsigned). June 7, 2004.		
	C124	Patent Interference No. 105,171. Iowa Preliminary Motion 5 (For Judgment Based on Lack of Enablement) (Electronically filed, unsigned). June 7, 2004.		
	C125	Patent Interference No. 105,171. Iowa Preliminary Motion 6 (For Judgment Based Lack of an Adequate Written Description) (Electronically filed, unsigned). June 7, 2004.		
	C126	Patent Interference No. 105,171. Iowa Preliminary Motion 7 (Motion to Redefine the Interference to Designate Claims as Not Corresponding to the Count) (Electronically filed, unsigned). June 7, 2004.		
	C127	Patent Interference No. 105,171. Iowa Preliminary Motion 8 (Contingent Motion to Redefine Count) (Electronically filed, unsigned). June 7, 2004.		
	C128	Patent Interference No. 105,171. Iowa Preliminary Motion 9 (Motion for Benefit of Earlier Application) (Electronically filed, unsigned). June 7, 2004.		
	C129	Patent Interference No. 105,171. Iowa Preliminary Motion 10 (Contingent Motion to Redefine the Interference By Adding A Continuation Application) (Electronically filed, unsigned). July 2, 2004.		
	C130	Patent Interference No. 105,171. Regents of the University of California Preliminary Statement. June 7, 2004.		
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	C132	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 2 (For Judgment Based on Lack of Written Description Support and Introducing New Matter). June 7, 2004.		
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	C139	Amended Claims for Application Number 09/265,101, filed March 10, 1999.		

EXAMINER	DATE CONSIDERED
/NMMinnifield/	1-4-05

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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